1929.

Department of L R & Sett

OFFICE Office Bd of Rev

STATION Chepauk

Miscellaneous.

Misc. No. 1622

C.2559/

Dated 8.6.29

To whom sent

Pages in the file

	Date	Initials
Given for copying		
Copied	9/6/29	
Examined		
Signed		
Given for despatch		
Despatched	13 JUN 1929	
Indexed		
To be destroyed on*		

(SUBJECT.)

Theft - (Kanara, South). Revenue Divisional Office, Mangalore - Prop produced in Criminal Cases - Collr's report. Recorded

* Not to be filled in in the case of permanent records.

C.2559

Ref.C1-1520-29. S.Kanara Dt.Magistrate's Office,

Mangalore, 29th March 1929.

From

G. W. Wells, Esquire, M.A., I.C.S.,

Dt. Magistrate of South Kanara.

To

The Secretary to the Board,

Land Revenue,

M a d r a s.

Sir,

Property - produced in Criminal cases - Sub Divisional Magistrate's Court - Mangalore - theft - reported.

****

The lock of the room in which the Sub Divisional Magistrate, Mangalore Division used to keep the properties, other than valuables, produced before him in Criminal cases is reported to have been removed on the night of 5th February 1929, and one pair of shorts and 10 seers of parchment coffee are said to have been stolen.

2. The room had been locked by the Magisterial clerk of the Sub Divisional Magistrate's Court, but had not been sealed and the key of the lock was with that clerk. The theft was discovered on 7th February 1929 and reported to the Police who have held investigation and reported the case as undetected. The properties relate to disposed of cases and are not of any great value. I am asking the Sub Divisional Magistrate to report what steps he has taken to make good the loss, if the property is to be delivered over to the parties in the cases concerned, though I doubt if any one can be held responsible for loss of this kind seeing that the room was locked.

3. The office of the Sub Divisional Magistrate, Mangalore Division forms a portion of the block of buildings which comprises the Collector's office here. The peons sleep by turns two peons at a time to guard the block at night, and the Sub Divisional Magistrate's office contribute

to the arrangement by sending a peon of that office every Thursday. I have obtained the explanation of the peons detailed for the duty on 5th February 1929 night. They say that they were guarding the Record room of the Collector's office and know nothing of what occurred at the Sub Divisional Magistrate's office that night as they had no instructions to perambulate the block. Their explanation is such as might be expected as they say they thought their special duty was to guard the Record room (~~hitherto~~) and they had no instructions hitherto to perambulate the block at intervals during the night. I have issued these instructions now.

4. As the room in which the theft occurred is a detached one, with a separate entrance, the Sub Divisional Magistrate now proposes to have a better room which lies near his Record-room for ~~strong~~ Storing properties. This room is now occupied by the Health Inspector, Mangalore Circle, and I am seeing whether the arrangement proposed is possible. I shall also see that, as required by the Sub Divisional Magistrate, a Chubb or Dindigul lock is supplied to him, and I am instructing him to see that the locks of his property room are always sealed when the office closes for the night.

5. No further action seems necessary in this matter. I am taking all precautions possible to prevent a recurrence of the theft but I submit this report only for the information of the Board.

Your obedient servant,

For Dt. Magistrate.

M.D'S.1/4.

1.4.29

Theft – (Kanara, South) – Rev. Dl. Office Mangalore – Property produced in Criminal cases.

pp 1-2 cf. C 2559/29 from the Dt. Magte, South Kanara –

Refce. C 2559/29-1 dt 15-4-29.

S.O. 181. Under the instructions laid down in para 3 (ii) of B.S.O. No. 161, valuables received by a Rev. Dl Officer in the course of official business – whether in his revenue or magisterial capacity, should be kept in the treasury and other property should be secured in a strong wooden box under lock and seal in one of the office rooms. The Board presumes that the properties reported to have been stolen in the present case were not kept under lock and seal in a box, but were lying about in the room loosely and that the theft was thereby rendered comparatively easy as the thief had merely to remove the lock of the room. The Collr. and Dt. Magte. is requested to report whether this presumption is correct and if so, to obtain the explanation of the R.D.O. (S.D.M.) concerned, for his failure to observe the instns laid down in the Standing Order and submit it to the Board with his remarks. It was also irregular on the part of the S.D.M. who is obviously responsible for the safe custody of property received by him, to have entrusted the key

4

room to the Magisterial clerk of his office.

2. The Board also views with dissatisfaction that adequate arrangements had not been made till after the occurrence of the theft in question, for guarding the Office at night. This omission was again a violation of the instructions contained in para 3(i) of B. O. C. 161.

para 3, pp 1-2 ref.

p 342 BSO Vol I

3. The steps taken by the S.D.M to make good the loss should be intimated to the Board on receipt of the report called for from that officer.

para 2, p 1 ref.

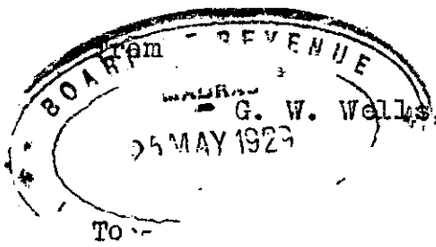
CR 2
7.4.29 5.4.29

To the Collr. & Dt. Magte,
South Kanara

Ref. C1-1520-29. S.Kanara Dt. Magistrate's Office,

Mangalore, 21st May 1929.

C.3949



From - G. W. Wells, Esquire, M.A., I.C.S.,

Dt. Magistrate of South Kanara.

To -

The Secretary to the Board,

Land Revenue,

Madras.

Sir,

Theft - (South Kanara) - Revenue Divisional Office, Mangalore - Board's Reference C.No.2559/29, dated 15th April 1929.

pp3-4 c.f. omit omit

****

pp6-7 c.f. I enclose the letter dated 16th May 1929 of the Revenue Divisional officer and Sub Divisional Magistrate, Mangalore Division, explaining the circumstances under which the theft occurred. The facts mentioned in paragraph 1 of the letter pp6-7 c.f. are correct.

pp8 c.f. 2. I also enclose copies of the order D.Dis.654-24, dated 19th January 1924 passed by Mr. Souter, and D.Dis.2924-29, p10 c.f. dated 25th March 1929 passed by me adding to it. The arrangements directed in Mr. Souter's order were necessitated by the curtailment of the inferior and menial establishment of this office in 1920. But for the occurrence under report, the arrangements have worked well for the last 5 years.

pp11-12 c.f. 3. I enclose the letter L.Dis.1132-29, dated 8th March 1929 of the Revenue Divisional officer which is also referred in his explanation.

Your obedient servant

22.5.29

For Dt. Magistrate.

Title as above.

C 3949/29 - Q

Resn. Mis 1622 dt. 8.6.29.

Recorded. for 22 8 29.

M. Dis. 2225.

Coll 2 8629 Avi 8629

To the Collr of S. Kanara.

C.F. 32

In reply, please quote number, date and short title.

_____ DEPARTMENT. 6

*Received*_____ *Registered*_____

From (Name) M. R. Ry. M. S. Pais, Avergal, B.A.,

(Designation Revenue Divisional Officer & Sub-Divisional Magistrate,

Post Box_____ (Station) M a n g a l o r e.

*Telegraphic Address*_____

To The District Magistrate & Collector,

South Kanara.

D. Dis. No. 1875/29. *dated* 16th May 1929.

Sir,

ENCLOSURES_____

SPARE COPIES_____

THEFT -- Kanara South -- Revenue Divisional Office, Mangalore -- Two items of property produced in Criminal cases -- Your Reference C-1/1520-29, dated 24-4-1929 -- Reply submitted

****

The properties which were stolen during night time by breaking open the lock in the present case were the following (1) ten seers of old damaged parchment coffee and (2) a short, both relating to disposed of criminal cases and ordered to be returned to the parties concerned. They were not lying about in the room loosely as presumed by the Board, but were kept in a wooden box which was placed inside the locked room. There were other magisterial properties such as large fish manure bags in the same room. Of the magisterial properties only properties which were stinking such as fish manure, stinking cloths etc. were being placed inside this room as these could not be placed inside any of the office rooms on account of their nasty smell. In the present case the coffee as well as the short, stolen were stinking. The other magisterial properties are kept in one of the rooms of the office inside a strong wooden almyrah under lock and seal and valuables are kept in an iron safe which was supplied to this office. The instructions laid down in the B.S.O. are being followed in the matter. The keys of the wooden almyrah and the iron safe are kept in my personal custody as required by B.S.O.No.161, para 3(ii). The key of the outer room ~~from which~~

from which the coffee seeds and short were stolen was entrust-
-ed to the Magisterial clerk of the office because in the very
room some of the camp furniture was placed and this furniture had to be
removed out of the room now and then. No valuable property was
being kept in this room and this is also one of the reasons why the
key of this room was entrusted to the Magisterial clerk. This
practice was not unusual because my predecessors were also entrust-
ing the key of this room to the Magisterial clerk, because no valu-
-able property was kept in the room.

2. As regards para 2 of the Board's reference, I beg to p4-f
submit that I have already reported to you that my office is inclu-
ded within the block of buildings occupied by the Collector's office.
Vide my L.Dis.1132-29, dated 8-3-1929 submitted in reply to your pp11-12-f.
Ref.C.-1/1520-29, dated 2nd March 1929, and that the night duty ar-
-rangement of the whole block was made by the Collector and the arrange-
-ment is being followed under his original order D.Dis.No.654-24, p8-9f
dated 19-1-1924 and his subsequent order D.Dis.No.2924-29-E, dated p10f
25-3-1929.

3. As regards para 3 of the reference I submit that the p4f.
owners of the stolen properties viz., Messrs.J.S.B.Colaco and Appu
-kutti Panikkar have sent letters to me waiving their claim over
the properties stolen, the value of which is trifling. So the
question of making good the loss does not arise.

Your obedient servant,

5.29
Revenue Divisional Officer &
Sub-Divisional Magistrate.

M.E.S./16-5.

16.5.29

Dis.No. 654/24-B6. 8

Proceedings of the Collector of South Kanara, Dated the 19th January, 1924.

C. A. Souter, Esquire, I.C.S.

Night duty - Block of buildings occupied by the Collector's Office.

This office Proceedings dated 5-12-23 and the replies received from the several officers consulted.

The block of buildings occupied by the Collector's office should be guarded every night by two of the office servants sleeping on the premises as laid down in para 12 of B.S.O.No.160. A definite list of days on which each office is to supply a peon is attached. The Heads of the offices are requested to arrange to depute a peon accordingly.

2. The President of the Bench Court, Mangalore, is requested to depute a peon like everybody else.

3. As laid down in para 105 of the Dt. Office Manual, the sealed cover containing key of the Record room will be handed over to the peons doing night duty by the English Head Clerk at 4 P.M. every day. The peons should be instructed to hand it back to him the next morning at 11.30 A.M. To have effect from the 1st February, 1924.

Sd/- C.A.Souter,
Collector.

To
(1) The Try.Dy.Collector, South Kanara.
(2) The Dt.Forest Officers, Mangalore North and South.
(3) The President, Dt.Board, South Kanara.
(4) " Taluk Board, Mangalore.
(5) The Divisional Officer, Mangalore.
(6) The President, Bench of Magistrates, Mangalore.
(7) The Inspector of Local Fund Accounts, Mangalore.
(8) The President of the Dt.Educational Council, Mangalore.
(9) The Huzur Sheristedar.
(10) The English Head Clerk.
(11) The Record Section.

List showing the days on which each office should supply peons for guarding the block of buildings occupied by the Collector's Office.

Monday.	...	Treasury Dy.Collector, South Kanara, Correspondence Branch.
Tuesday.	...	President, Dt.Board, South Kanara, Correspondence Branch.
Wednesday.	...	President, Taluk Board, Mangalore, Correspondence Branch.
Thursday	...	Divisional Officer, Mangalore. Correspondence Branch.
Friday.	...	President, Bench of Magistrates, Mangalore. Correspondence Branch.
Saturday.	...	Inspector, Local Fund Accounts, Mangalore. President, Dt.Educational Council, Mangalore
Sunday.	...	Dt.Forest Officer, Mangalore North. - do - - do - South.

Sd/- C. A. Souter,
Collector.

23.5.29

D.Dis.2924-29-E. 10

Proceedings of the Collector of South Kanara dated 25th March 1929.

G.W.Wells, Esquire, M.A., I.C.S.

Buildings - Block of buildings occupied by the Collector's Office - night duty - instructions issued.

In this office proceedings D.Dis. 654/24 dated 19-1-24 it was ordered that the block of buildings occupied by the Collector's Office should be guarded every night by two of the office servants sleeping on the premises as laid down in para 12 of B.S.O.No. 160 and the Heads of Offices were requested to arrange to depute a peon for this duty. Recently in connexion with a theft case in the office of the Revenue Divisional Officer, Mangalore, it has been brought to the Collector's notice that the peons deputed for night duty do not go round the buildings at intervals. The Heads of Offices are, therefore, requested to instruct the peons deputed for this duty to perambulate the block at intervals during the night.

(Sd) H. Sankara Rao,
for Collector.

To

The Treasury Deputy Collector.
The District Forest Officers, Mangalore North and South.
The Revenue Divisional Officer, Mangalore.
The District Labour Officer, South Kanara.
The President of the I Class Bench of Magistrates, Mangalore.
The Inspector of Local Fund Accounts, Mangalore.
The Huzur Sheristedar.
The English Head Clerk.
The Inspecting Tahsildar.
The Records Section.

(True Copy)

for Collector. 22.5.29

22.5.29.

(F.F. 32 (a))

In reply, please quote number, date and short title.

R E V E N U E DEPARTMENT.

Received *Registered*

From (Name) M. R. Ry. M. S. Pais, Avergal, B.A.,

(Designation) Revenue Divisional Officer,

Post Box ____, (Station) M a n g a l o r e.

Telegraphic Address ____

To The District Magistrate,

South Kanara.

L.Dis. *No* 1132/29 *dated* 8th March 1929

Sir,

Enclosures

Nil.

Spare Copies

THEFT -- Magisterial property relating to dis-posed of cases -- Your letter Ref.C-1/1520-29, dated 2nd March 1929.

****

My office is within the block of buildings occupied by the Collector's office and my office con-

-tributes one menial servant on every Thursday for watching the block as per Collector's Circular D.Dis.No.654-24-36, dated --- 19th January 1924.

2. The police have reported the case as undetected.

Your obedient servant,

M.L.S./9-3. Revenue Divisional Officer.

9.3.29

M
S

Theft - (Kanara, South). - Rev. Dl. Office, Mangalore - Property produced in Criminal cases.

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pp1-2 cf. C 2559/29 from the Dt. Magte, S. Kanara.

pp3-4 cf. Bdc. Ref. C 2559/29-I dt 15-4-29.

pp5-12 cf. C 3949/29 from the Dt. Magte, S. Kanara.

To Secy

In connection with the theft of certain magisterial properties in the Rev. Dl. Office, Mangalore, the Coll & Dt. Magte, S. Kanara was requested to report whether the properties had been kept under lock and seal in a box as required by B.S. 161-3 (ii) and if so, to obtain & submit the explns. of the S.D.M. The B also remarked that it was irregular on the part of the S.D.M. to have entrusted the key of the room where the properties were stored, to the Magisterial clerk and that the fact that adequate arrangements had not been made for the guarding of the Dl. Office at night, prior to the occurrence of the theft was also a violation of the rule contained in B.S.O. 161-3-(i).

p 3 cf.

p 342 BSO vol I.

pp3-4 cf.

p 342 BSO vol I.

2. The S.D.M (R.D.O)'s replies to the several points referred to above is for perusal. It is observed therefrom that though the properties which were

stolen are stated to have not been left lying about in the room loosely, there is no indication that they had been kept "in a strong wooden box under lock and seal" as required by B.S.O. 161-3(ii). p6cf p342. B50.

3. The S.D.M. has stated that the key of the room where the magisterial property in question had been kept, was entrusted to the Magisterial clerk of ~~his~~ the office, because that room ~~where the articles had been kept~~ contained the camp furniture of the office and also because the magisterial property kept in that room was of insignificant value. It would of course have been unsatisfactory who held the keys of the room, provided the magisterial property was under the personal custody of the R.D.O., but as the ~~box~~ containing the property was not apparently secured under lock and key by the R.D.O., it is not evident how he could comply with the instructions in B.S.O. 161-3-(ii), otherwise than by keeping the key of the room himself. p7cf. There is no need to suppose that the R.D.O. delegated the opening short of the stacking panel was open to outer darkness. RDO 5/6

4. As regards the guarding of the Rev. Dl. office at nights, it has been reported that arrangements had been made for the guarding of the whole block of buildings occupied by the Collr's office (including the R.D.O's office) by deputing 2 peons from the several offices concerned, by turns, and that the arrangements had been working satisfactorily, but for the occurrence under report. The theft in question might probably not para 2, p7cf para 2 p[illegible]

have occurred if the peons on duty had patrolled the whole block of buildings. The Coll has issued instructions to this effect now. It is perhaps unnecessary to order separate arrangements being made for the guarding the Rev. Dl. office. For orders.

5. No further action regarding the recovery of the value of the properties lost, is called for, as the owners are reported to have waived their claim to the properties. Orders are requested as to whether any remarks need be made regarding the irregularities committed by the RDO.

Coll
1.6.29
Asst
4.6.29

Rev
7/6

p10cf.
The method of guarding adopted in this country - to wit sleeping near the dead somewhere in the vicinity.
Rev
7/6

S/

To Secy

Draft submitted at p5cf.

Coll
8/6 for
S.C. 29